

This order is SIGNED.

Dated: September 17, 2020



**R. KIMBALL MOSIER
U.S. Bankruptcy Judge**



Armand J. Howell, Bar Number 10029
Benjamin J. Mann, Bar Number 12588
HALLIDAY, WATKINS & MANN, P.C.
Attorneys for US Bank Trust National
Association as Trustee of Cabana Series III
Trust
376 East 400 South, Suite 300
Salt Lake City, UT 84111
Telephone: 801-355-2886
Fax: 801-328-9714
Email: armand@hwmlawfirm.com
File No: 46337

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

In re:

TIM L. ACKERMAN dba TIM'S LAWN &
HANDYMAN SERVICES dba ACKERMAN
INVESTMENTS LLC

Debtor.

Bankruptcy Case No. 19-23807 RKM

Chapter 13

**ORDER TERMINATING AUTOMATIC
STAY AS TO US BANK TRUST
NATIONAL ASSOCIATION AS TRUSTEE
OF CABANA SERIES III TRUST**

[Filed Electronically]

Based upon the Order Based on Stipulation to Cure Post-Petition Arrearage previously signed by the Court, failure of the Debtor to cure the arrearages, and good cause appearing, the Court does hereby,

ORDER AS FOLLOWS:

1. That the automatic stay with respect to the following described real property:

Lot 7, Farber Phase 1 Subdivision, according to the Official Plat thereof as recorded in the office of the Weber County recorder, State of Utah;

Commonly known as 146 North Pingree Avenue, Ogden, UT 84404;

be and is hereby modified and terminated as of the date hereof to permit US Bank Trust National Association as Trustee of Cabana Series III Trust and its successors and assigns to pursue its rights and remedies against the said property under applicable law.

2. Secured Creditor and/or its successors and assigns may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout/loss mitigation agreement. Any such agreement shall be non-recourse unless included in a reaffirmation agreement.

3. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other Chapter of Title 11 of the United States code.

4. The Chapter 13 Trustee shall cease mailing payments on unpaid pre-petition default amounts. Secured Creditor has 180 days from the date of this order to amend its Proof of Claim. In the event that the Secured Creditor's Proof of Claim is not amended within 180 days of this order, Secured Creditor's Proof of Claim shall be reduced to the actual amount paid by the

Trustee.

5. If this order is entered pre-confirmation, it shall not be amended or altered or superseded by the confirmation order entered in this case but shall be considered a part of and integrated into the confirmation order and the automatic stay shall not be reimposed by the entry of the confirmation order.

END OF ORDER

DESIGNATION OF PARTIES TO BE SERVED

Service of the foregoing **ORDER TERMINATING AUTOMATIC STAY AS TO US**

Bank Trust National Association as Trustee of Cabana Series III Trust shall be served to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Lon Jenkins
Chapter 13 Trustee
ecfmail@ch13ut.org
lneebling@ch13ut.org

E. Kent Winward
Debtor's Attorney
utahbankruptcyfirm@gmail.com
winlawecf@gmail.com
bcsummarymails@gmail.com
thebankruptcyfirm@yahoo.com
r39103@notify.bestcase.com

United States Trustee
USTPRegion19.SK.ECF@usdoj.gov

Armand J. Howell
HALLIDAY, WATKINS & MANN, P.C.
Secured Party's Attorney
armand@hwmlawfirm.com

By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed. R. Civ. P. 5(b).

Tim L. Ackerman
PO Box 150351
Ogden, UT 84415

/s/ Armand J. Howell
Armand J. Howell